

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JAN 05 2004

DEANNE WHATLEY CHAVEZ,

Plaintiff,

v.

Civ. No. 01-1314 RLP/WDS

THOMAS & BETTS CORPORATION, *et al.*,

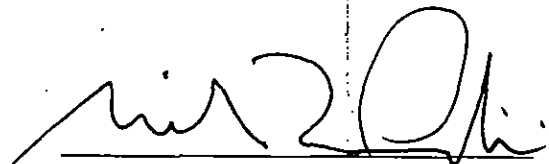
Defendants.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the court upon the parties' submissions concerning whether Defendants should be required to post a bond to secure the Plaintiff's attorney's fees and costs on appeal. See Plaintiff's Brief [Doc. 171]; Defendants' Brief [Doc. 172]. Local rule D.N.M.LR-Civ.65.1(b) provides that the court has discretion in requiring a bond. The court notes that it has granted Defendants' prior Motion for Stay of Execution of Judgment [Doc. 168]. Having considered the parties' submissions the court finds that Defendants shall post a bond. The financial stability of any business is not graven in stone and the appeal in this case is likely to be lengthy and time-consuming. Plaintiff anticipates incurring \$75,000 in attorney's fees on appeal and this shall be the amount of the bond.

IT IS THEREFORE ORDERED that Defendants shall post a bond in the amount of \$75,000.00 to secure attorney's fees and costs on appeal.

IT IS SO ORDERED.



Richard L. Puglisi
United States Magistrate Judge
(sitting by designation)

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